

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MATTHEW R. RUTH,

Petitioner,

v.

PATRICK GLEBE,

Respondent.

Case No. C15-533-TSZ-JPD

ORDER GRANTING PETITIONER'S  
MOTION FOR CLARIFICATION

Petitioner is proceeding *pro se* in this 28 U.S.C. § 2254 habeas action. Currently before the Court is petitioner's "Motion for Clarification." Dkt. 38. He explains that the law librarian who electronically filed his traverse deliberately shuffled the order of his papers. He asserts that he tried to re-file his traverse but is unsure whether it came through. He asks the Court for the opportunity to re-file his traverse a third time.

The record in this case includes a traverse with attached exhibits that was filed on March 25, 2016, and additional exhibits that were filed on March 29, 2016. Dkts. 36 & 37. The pages of both filings are out of order to the point of being indecipherable.

Accordingly, the Court GRANTS petitioner's Motion for Clarification and ORDERS him to re-file his traverse and any exhibits on or before **June 10, 2016**. The re-filed documents

1 will become the operative documents for purposes of ruling on petitioner's habeas petition, and  
2 the Court will not consider docket numbers 36 and 37.

3 The Clerk is directed to RE-NOTE respondent's answer, Dkt. 22, for June 10, 2016,  
4 and to send copies of this Order to the parties and to the Honorable Thomas S. Zilly.

5 DATED this 31st day of May, 2016.

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8 JAMES P. DONOHUE  
9 Chief United States Magistrate Judge  
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